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| <br><b>Notice of Allowability</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|  | 09/847,913             | KLEIN, ELLIOT       |  |
|  | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|  | Michael J Fisher       | 3629                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--  
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 2/18/05.
2. ☒ The allowed claim(s) is/are 1,2,6-8,11-17 and 19-22.
3. ☒ The drawings filed on 02 May 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

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|--|--|
| <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br/>Paper No./Mail Date _____</li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</li> <li>6. <input type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date _____</li> <li>7. <input type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____</li> </ol> |
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 JOHN G. WEISS  
 SUPPLEMENTARY PATENT EXAMINER  
 1101 CENTER 3300

***Allowable Subject Matter***

Claims 1,2,6-8,11-17 and 19-22 are allowed.

The following is an examiner's statement of reasons for allowance: The prior art does not teach a separate courier service, such as United Parcel Service (UPS) or DHL, that is enabled to check warranty status automatically just by reading an RFID sticker affixed on the item. Previous systems, such as that by Japanese patent JP 2002342506A to Sanyo Electric Co., requires the purchaser to contact the manufacturer or warranty provider, if different, to ascertain warranty information. The instant application requires no such action, it checks the status through a web server and addresses the shipping accordingly. Further, a search of current websites of such shippers as DHL and UPS do not show a method of tracking warranty information on returned items, merely a service to notify a manufacturer that an item will be returned and the reason for the return. There is no mention of any method of actually ascertaining the warranty status of an item by the courier service.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US PAT 6757663 to Rogers et al. disclose a system for tracking

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warranties of purchased, Rogers et al. do not, however, teach affixing a tracker to the purchased item and further do not teach a courier company as having access to the database that contains warranty information, Japanese patent JP 2002342506A to Mashima, Kazuaki (note, the information taken from Derwent abstract provided), discloses a method whereby a customer must ascertain warranty status before contacting a courier service, Internet web page from UPS' website, (URL, <http://www.pressroom.ups.com/pressreleases/archives/archive/0,1363,3808,00.html>) shows that UPS is not able to track warranty information, it merely tells a company that warranty items are being returned, it does not, however, check whether the item is still covered under a warranty, the only mention of any tracking is that the manufacturer can decline to accept a return based on reason given (pg 2 as provided, lines 19-20), wherein the manufacture can decline because of the reason given for the return, "e.g., buyer's remorse", Internet web page from DHL's website (URL <http://www.dhl-usa.com/TechTools>ReturnsHome.asp?nav=TechnologyTools>Returns>), wherein DHL discusses using the service for returns but does not discuss warranty information.

Note: The web pages are not considered prior art but were merely searched to determine the current state of shipping vis a vis warranties.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J Fisher whose telephone number is 703-306-5993. The examiner can normally be reached on Mon.-Fri. 7:30am-5:00pm alt Fri. off.

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The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MF   
3/10/05

  
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